

Docket No. 1982-0142P
Appl. No. 09/496,266
Corrected Amendment dated May 10, 2005
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REMARKS

Claims 2-4, 6-8, 10, 11, 13, 17 and 19 are now pending in the present application. Claims 2, 3, 6-8, 10, 11, 13, 17 and 19 have been amended and claims 1, 5, 9, 12, 14-16, 18 and 20 have been cancelled by the present amendment or a previous amendment. Claims 3, 7, 8, 17 and 19 are independent. Reconsideration of this application, as amended, is respectfully requested.

It should be noted that the present amendments replace the amendments submitted in the Amendment dated November 4, 2005.

Reasons for Entry of Amendments

It is respectfully requested that the present amendments be entered into the official file in view of the fact that the amendments to the claims automatically place the application into condition for allowance.

If the Examiner does not believe that the application is in condition for allowance, Applicant respectfully requests the Examiner to enter the amendment for the purposes of appeal. The amendments to the claims simplify the issues on appeal by amending the claims to include subject matter considered by the Examiner to be allowable.

In the Examiner's Advisory Action dated February 8, 2005, the Examiner indicated that certain dependent claims raised new issues, since they were directed to embodiments that were never disclosed as usable with other embodiments in the specification. While not

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conceding to the appropriateness of the Examiner's position, Applicant has carefully reviewed all of the dependent claims and have canceled dependent claims 5, 12, 14-16, 18 and 20 in order to expedite prosecution. Applicants respectfully submit that remaining dependent claims 2, 4, 6, 10, 11 and 13 are clearly directed to embodiments that were disclosed in the specification as originally filed. In view of this, the consideration of these claims does not raise new issues.

Rejections Under 35 U.S.C. § 103

Claims 1, 6, 9-10, 13, 16 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sakata et al., USPN 5,119,178 in view of Sakai et al., USPN 5,453,853. Claims 2 and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sakata et al. in view of Sakai et al. and further in view of Udagawa et al., USPN 6,195,125. These rejections are respectfully traversed.

As the Examiner will note, claims 1, 9, 16 and 18 have been canceled without prejudice to or disclaimer of the subject matter contained therein. In addition, dependent claims 2, 6, 10, 11 and 13 depend from or have been amended to depend from claims the Examiner considers to be allowable. Specifically, claim 2 is dependent on claim 7, claim 6 is dependent on claim 8 and claims 10, 11 and 13 are dependent from claim 19. The Examiner indicated that claims 7, 8 and 19 are directed to allowable subject matter. Accordingly, claims 2, 6, 10, 11 and 13 should be in condition for allowance.

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In view of the above amendments and remarks, Applicant respectfully submits that claims 2, 6, 10, 11 and 13 clearly define the present invention over the references relied on by the Examiner. Accordingly, reconsideration and withdrawal of the Examiner's rejections under 35 U.S.C. § 103 are respectfully requested.

Allowable Subject Matter

Claims 3-5, 7, 8, 12, 14, 15, 17, 19 and 20 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As the Examiner will note, claims 3, 7, 8, 17 and 19 have been amended to be in independent form including all of the limitations of independent claims 1 and 9, respectively. In view of this, independent claims 3, 7, 8, 17 and 19 and dependent claims 2, 4, 6, 10, 11 and 13 should now be in condition for allowance.

Favorable consideration and early allowance of the present application are respectfully requested.

CONCLUSION

Since the remaining reference cited by the Examiner have not been utilized to reject the claims, but merely to show the state-of-the-art, no further comments are deemed necessary with respect thereto.

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All the stated grounds of rejection have been properly traversed and/or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently pending rejections and that they be withdrawn.

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact Paul C. Lewis, Registration No. 43,368 at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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By



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